

him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

(a) **SHORT TITLE.**—This section may be cited as the “Fair Care for Vietnam Veterans Act”.

**SA 5055.** Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

#### **TITLE XI—OTHER MATTERS**

##### **SEC. 1101. OFFSET OF COSTS USING UNOBLIGATED FUNDS FROM THE AMERICAN RESCUE PLAN ACT OF 2021.**

Effective on the date of the enactment of this Act, of the unobligated balances made available under the American Rescue Plan Act of 2021 (Public Law 117–2; 135 Stat. 4), or an amendment made by such Act, there is rescinded, on a pro rata basis, \$270,000,000,000.

**SA 5056.** Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

#### **Subtitle C—Other Health Care Matters**

##### **SEC. 121. REQUIREMENT OF DENTAL CLINIC OF DEPARTMENT OF VETERANS AFFAIRS IN EACH STATE.**

The Secretary of Veterans Affairs shall ensure that each State has a dental clinic of the Department of Veterans Affairs to service the needs of the veterans within that State by not later than September 30, 2024.

**SA 5057.** Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

#### **Subtitle C—Expansion of Dental Care for Veterans**

##### **SEC. 121. PILOT PROGRAM TO FURNISH DENTAL CARE FROM THE DEPARTMENT OF VETERANS AFFAIRS IN THE SAME MANNER AS ANY OTHER MEDICAL SERVICE.**

(a) **IN GENERAL.**—Commencing not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall carry out a pilot program to assess the feasibility and advisability of furnishing dental care in the same manner as medical services furnished by the Department, notwithstanding the limitations on the provision of dental care under sections 1710(c) and 1712 of title 38, United States Code.

(b) **MEDICAL SERVICES DEFINED.**—In this section, the term “medical services” has the meaning given that term in section 1701(6) of title 38, United States Code.

##### **SEC. 122. PILOT PROGRAM ON EXPANSION OF FURNISHING BY DEPARTMENT OF VETERANS AFFAIRS OF DENTAL CARE TO CERTAIN ENROLLED VETERANS.**

(a) **IN GENERAL.**—Commencing not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall carry out a pilot program under which the Secretary shall furnish dental care to all covered veterans who are not eligible for dental services and treatment and related dental appliances under the laws administered by the Secretary as of the date of the enactment of this Act.

(b) **DURATION.**—The pilot program shall be carried out during the two-year period beginning on the date of the commencement of the pilot program.

(c) **LOCATIONS.**—

(1) **IN GENERAL.**—The Secretary shall carry out the pilot program at the following locations:

(A) Each medical center of the Department with an established dental clinic.

(B) Not fewer than four military medical treatment facilities of the Department of Defense with the capacity to furnish dental care, which shall be selected in consultation with the Secretary of Defense.

(C) Not fewer than four community-based outpatient clinics with space available for the furnishing of dental care under the pilot program.

(D) Not fewer than four Federally Qualified Health Centers.

(E) Not fewer than four facilities of the Indian Health Service with established dental clinics, which shall be selected in consultation with the Secretary of Health and Human Services.

(2) **CONSIDERATIONS.**—In selecting locations for the pilot program, the Secretary shall consider the feasibility and advisability of selecting locations in each of the following:

(A) Rural areas.

(B) Areas that are not in close proximity to an active duty military installation.

(C) Areas representing different geographic locations, such as census tracts established by the Bureau of the Census.

(3) **MOBILE DENTAL CLINICS.**—In carrying out the pilot program, the Secretary shall test the efficacy of mobile dental clinics to service rural areas that do not have a population base to warrant a full-time clinic but where there are covered veterans in need of dental care.

(4) **HOME BASED DENTAL CARE.**—In carrying out the pilot program, the Secretary shall test the efficacy of portable dental care units to service rural veteran in their homes, as the Secretary considers medically appropriate.

(d) **SERVICES.**—

(1) **SCOPE.**—The dental care furnished to covered veterans under the pilot program shall be consistent with the dental services and treatment furnished by the Secretary to veterans with service-connected disabilities rated 100 percent disabling under the laws administered by the Secretary.

(2) **DENTAL THERAPISTS AND TELE-DENTISTRY.**—

(A) **IN GENERAL.**—In carrying out the pilot program, the Secretary shall test the efficacy of the use of dental therapists and tele-dentistry to service the dental care needs of covered veterans.

(B) **USE OF TELE-DENTISTRY.**—When providing tele-dentistry under subparagraph (A), the Secretary shall use Federal employees to the maximum extent possible.

(e) **VOLUNTARY PARTICIPATION.**—The participation of a covered veteran in the pilot

program shall be at the election of the veteran.

(f) **ADMINISTRATION.**—

(1) **NOTICE TO COVERED VETERANS.**—In carrying out the pilot program, the Secretary shall inform all covered veterans of the services and treatment available under the pilot program.

(2) **COPAYMENTS.**—The Secretary may collect copayments for dental care furnished under the pilot program in accordance with authorities on the collection of copayments for medical care of veterans under chapter 17 of title 38, United States Code.

(3) **CONTRACTS.**—

(A) **IN GENERAL.**—Subject to subparagraph (C), in carrying out the pilot program, the Secretary may enter into contracts with appropriate entities for the provision of dental care under the pilot program.

(B) **PERFORMANCE STANDARDS AND METRICS.**—Each contract entered into under subparagraph (A) shall specify performance standards and metrics and processes for ensuring compliance of the contractor concerned with such performance standards.

(C) **LIMITATION.**—The Secretary may only enter into contracts under subparagraph (A) if the Secretary determines that the Department does not employ, and cannot recruit and retain, qualified dentists, dental hygienists, and oral surgeons in the applicable location.

(g) **REPORTS.**—

(1) **IN GENERAL.**—Not later than 90 days before the completion of the pilot program, and not later than 180 days after the completion of the pilot program, the Secretary shall submit to the Committee on Veterans' Affairs and the Committee on Armed Services of the Senate and the Committee on Veterans' Affairs and the Committee on Armed Services of the House of Representatives a report on the pilot program.

(2) **CONTENTS.**—Each report under paragraph (1) shall include the following:

(A) A description of the implementation and operation of the pilot program.

(B) The number of covered veterans receiving dental care under the pilot program and a description of the dental care furnished to such veterans.

(C) An analysis of the costs and benefits of the pilot program, including a comparison of costs and benefits by location type.

(D) An assessment of the impact of the pilot program on appointments for care, prescriptions, hospitalizations, emergency room visits, wellness, employability, and satisfaction of patients, and perceived quality of life of covered veterans.

(E) An analysis and assessment of the efficacy of mobile clinics and home based dental care to service the dental needs of covered veterans under the pilot program.

(F) An analysis and assessment of the efficacy of dental therapists and tele-dentistry to service the dental needs of covered veterans under the pilot program, to include a cost benefit analysis of such services.

(G) The findings and conclusions of the Secretary with respect to the pilot program.

(H) A comparison of the costs for private sector dental care with cost of furnishing dental care from the Department, broken down by each locality included in the pilot program.

(I) Such recommendations as the Secretary considers appropriate for the expansion of dental care to all veterans eligible for health care from the Department.

(h) **DEFINITIONS.**—In this section:

(1) **COVERED VETERAN.**—The term “covered veteran” means a veteran enrolled in the system of annual patient enrollment of the Department of Veterans Affairs established and operated under section 1705(a) of title 38,

United States Code, pursuant to paragraph (1) or (2) of such section.

(2) **FEDERALLY QUALIFIED HEALTH CENTER.**—The term “Federally Qualified Health Center” means a federally-qualified health center as defined in section 1905(1)(2)(B) of the Social Security Act (42 U.S.C. 1396d(1)(2)(B)).

**SEC. 123. REQUIREMENT OF DENTAL CLINIC OF DEPARTMENT OF VETERANS AFFAIRS IN EACH STATE.**

(a) **IN GENERAL.**—The Secretary of Veterans Affairs shall ensure that each State has a dental clinic of the Department of Veterans Affairs to service the needs of the veterans within that State.

(b) **EFFECTIVE DATE.**—This section shall take effect on the date that is one year after the date of the enactment of this Act.

**SEC. 124. PROGRAM ON EDUCATION TO PROMOTE DENTAL HEALTH IN VETERANS.**

(a) **PROGRAM REQUIRED.**—The Secretary of Veterans Affairs shall carry out a program of education to promote dental health for veterans who are enrolled in the system of annual patient enrollment of the Department of Veterans Affairs established and operated under section 1705(a) of title 38, United States Code.

(b) **ELEMENTS.**—The program required by subsection (a) shall provide education for veterans on the following:

- (1) The association between dental health and overall health and well-being.
- (2) Proper techniques for dental care.
- (3) Signs and symptoms of commonly occurring dental conditions.
- (4) Treatment options for commonly occurring dental issues.

(5) Options for obtaining access to dental care, including information on eligibility for dental care through the Department.

(6) Available and accessible options for obtaining low or no-cost dental care, including through dental schools and Federally Qualified Health Centers.

(7) Such other matters relating to dental health as the Secretary considers appropriate.

**(c) DELIVERY OF EDUCATIONAL MATERIALS.**—

(1) **IN GENERAL.**—The Secretary shall provide educational materials to veterans under the program required by subsection (a) through a variety of mechanisms, including the following:

(A) The availability and distribution of print materials at facilities of the Department (including at medical centers, clinics, Vet Centers, and readjustment counseling centers) and to providers (including members of Patient Aligned Care Teams).

(B) The availability and distribution of materials over the Internet, including through webinars, My HealtheVet, and VA.gov.

(C) Presentations by the dental program office of the Department of information, including both small group and large group presentations, and distribution of such information to all locations in which the program is being carried out.

(2) **SELECTION OF MECHANISMS.**—In selecting mechanisms under paragraph (1), the Secretary shall select mechanisms designed to maximize the number of veterans who receive education under the program.

(d) **CONSTRUCTION.**—Nothing in this section shall be construed to alter or revise the eligibility of any veteran for dental care under the laws administered by the Secretary.

(e) **DEFINITIONS.**—In this section

(1) **FEDERALLY QUALIFIED HEALTH CENTER.**—The term “Federally Qualified Health Center” means a federally-qualified health center as defined in section 1905(1)(2)(B) of the Social Security Act (42 U.S.C. 1396d(1)(2)(B)).

(2) **VET CENTER.**—The term “Vet Center” has the meaning given that term in section 1712A(h) of title 38, United States Code.

(f) **EFFECTIVE DATE.**—This section shall take effect on the date that is one year after the date of the enactment of this Act.

**SEC. 125. STUDENT LOAN REPAYMENT PROGRAM TO INCENTIVIZE DENTAL TRAINING AND ENSURE THE DENTAL WORKFORCE OF THE DEPARTMENT OF VETERANS AFFAIRS.**

(a) **PROGRAM REQUIRED.**—The Secretary of Veterans Affairs, to ensure that the Department of Veterans Affairs has sufficient staff to provide dental service to veterans, shall implement a loan reimbursement program for qualified dentists, dental therapists, dental hygienists, and oral surgeons who agree—

(1) to be appointed by the Secretary as a dentist, dental therapist, dental hygienist, or oral surgeon, as the case may be, under section 7401 of title 38, United States Code; and

(2) to serve as a dentist, dental therapist, dental hygienist, or oral surgeon, as the case may be, of the Department pursuant to such appointment at a dental clinic of the Department for a period of not less than five years.

(b) **MAXIMUM AMOUNT.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the Secretary may reimburse not more than—

(A) \$75,000 for each dentist participating in the program under subsection (a);

(B) \$20,000 for each dental therapist participating in such program;

(C) \$10,000 for each dental hygienist participating in such program; and

(D) \$20,000 for each credentialed doctor of medicine in dentistry serving as an oral surgeon and participating in such program.

(2) **DUAL ELIGIBILITY.**—The Secretary may reimburse an individual serving in multiple positions described in subparagraphs (A) through (D) of paragraph (1) not more than \$95,000.

(c) **SELECTION OF LOCATIONS.**—The Secretary shall monitor demand among veterans for dental care and require participants in the program under subsection (a) to choose from dental clinics of the Department with the greatest need for dentists, dental hygienists, or oral surgeons, as the case may be, according to facility enrollment and patient demand.

**SEC. 126. EDUCATIONAL AND TRAINING PARTNERSHIPS FOR DENTISTS, DENTAL THERAPISTS, DENTAL HYGIENISTS AND ORAL SURGEONS.**

The Secretary of Veterans Affairs shall enter into educational and training partnerships with dental schools to provide training and employment opportunities for dentists, dental therapists, dental hygienists, and oral surgeons.

**SEC. 127. AUTHORIZATION OF APPROPRIATIONS.**

(a) **IN GENERAL.**—There is authorized to be appropriated for the Department of Veterans Affairs for fiscal year 2023 such sums as may be necessary to carry out this subtitle.

(b) **AVAILABILITY.**—The amount authorized to be appropriated under subsection (a) shall be available for obligation for the eight-year period beginning on the date that is one year after the date of the enactment of this Act.

**SA 5058.** Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

**Subtitle C—Other Health Care Matters**

**SEC. 121. EXPANSION OF HEALTH CARE FROM DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES WHO ARE NOT ON ACTIVE ORDERS.**

(a) **EXPANSION OF CARE.**—

(1) **IN GENERAL.**—Section 1789 of title 38, United States Code, is amended to read as follows:

**“§ 1789. Health care for members of the reserve components of the Armed Forces**

“(a) **IN GENERAL.**—The Secretary (subject to subsection (c)) shall furnish hospital care and medical services to any member of the reserve components of the Armed Forces during any period in which the member is not entitled to health care furnished by the Secretary of Defense.

“(b) **MENTAL HEALTH CARE.**—The Secretary may furnish mental health services to members of the reserve components of the Armed Forces.

“(c) **LIMITATION.**—The requirement in subsection (a) shall be effective in any fiscal year only to the extent and in the amount provided in advance in appropriations Acts for such purpose.

“(d) **CONSULTATION WITH SECRETARY OF DEFENSE.**—The Secretary shall carry out this section in consultation with the Secretary of Defense.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of subchapter VIII of chapter 17 of such title is amended by striking the item relating to section 1789 and inserting the following new item:

“1789. Health care for members of the reserve components of the Armed Forces.”.

(b) **ENROLLMENT IN PATIENT ENROLLMENT SYSTEM.**—

(1) **PRIORITY FOR ENROLLMENT.**—Section 1705(a) of title 38, United States Code, is amended—

(A) in the matter preceding paragraph (1), by striking “enrollment of veterans” and inserting “enrollment of individuals under such system”; and

(B) in paragraph (7)—

(i) by striking “Veterans” and inserting “(A) Veterans”; and

(ii) by adding at the end the following new subparagraph:

“(B) Members of the reserve components of the Armed Forces for purposes of furnishing hospital care and medical services under section 1789(a) of this title.”.

(2) **INITIAL ENROLLMENT.**—The Secretary of Veterans Affairs shall enroll all members of the reserve components of the Armed Forces in the patient enrollment system by not later than December 31, 2022.

(3) **ONGOING ENROLLMENT.**—After December 31, 2022, the Secretary shall automatically enroll in the patient enrollment system all new members of the reserve components of the Armed Forces upon those members joining the reserve components.

(4) **CONSULTATION WITH SECRETARY OF DEFENSE.**—The Secretary shall carry out this subsection and the amendments made by this subsection in consultation with the Secretary of Defense.

(5) **PATIENT ENROLLMENT SYSTEM DEFINED.**—In this subsection, the term “patient enrollment system” means the system of annual patient enrollment of the Department of Veterans Affairs established and operated under section 1705(a) of title 38, United States Code.

**SA 5059.** Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN)